

Order

Michigan Supreme Court
Lansing, Michigan

July 20, 2007

133462

Clifford W. Taylor,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

IN RE EGBERT R. SMITH TRUST.

GLEN PHILLIPS and DALE PHILLIPS,
Petitioners-Appellees,

v

SC: 133462
COA: 269549
Sanilac PC: 81-021856-TT

BETTY HOMER, Successor Trustee,
Respondent-Appellant.

On order of the Court, the application for leave to appeal the February 15, 2007 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed whether a right of first refusal is revocable once the holder of the right receives notice of a third party's offer and whether the petitioners are entitled to summary disposition and specific performance of the right of first refusal, as the Court of Appeals held.

The Real Property Section of the State Bar of Michigan is invited to file a brief amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



s0717

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 20, 2007

Corbin R. Davis

Clerk